

FILED
MAY 06 2010

Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

JUDGE - John E. Simko
CASE NO. - 10-40004-07

REPORTER- FTR Ct #3
Date - 5/6/10
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CASE

United States of America,

COUNSEL

Plaintiff,

John Haak

vs.

Jason Leach a/k/a "JD,"

James Billion

Defendant.

COURTROOM DEPUTY: C. Gross

TIME HEARING SCHEDULED TO BEGIN: 3:00 p.m.

TIME:

3:10 p.m. Enter initial appearance, arraignment and detention hearing on Third Superseding Indictment before the Honorable John E. Simko, United States Magistrate Judge, Sioux Falls, South Dakota.

Based on Defendant's financial affidavit, James Billion was appointed as counsel for the Defendant.

Defendant advised of his rights.

Defendant sworn in and questioned by the court.

Defendant has received a copy of and read the Third Superseding Indictment. Reading of the charges held. Defendant understands allegations.

Defendant advised of maximum possible penalties: mandatory minimum 10 years imprisonment; maximum life imprisonment; \$4 million fine; 5 years supervised release; if supervised release is revoked an additional 5 years imprisonment; and a \$100 special assessment.

Defendant pleads not guilty to the Third Superseding Indictment.

U.S. seeks detention. Argument for release by attorney Billion. Attorney Haak proffered the pretrial services report. No foundational objection by attorney Billion. The court will consider the report.

James Johnson, US Pretrial Services Report, sworn in and examined by attorney Haak. No cross.

Steve Hummel, DEA Special Agent, sworn in and examined by attorney Haak.
Cross-examination by attorney Billion. No re-direct.

Closing argument for release by attorney Billion. Closing argument for detention
by attorney Haak.

Defendant was released on a \$25,000 Appearance & Compliance Bond (unsecured)
and the court entered its Order Setting Conditions of Release.

Defendant advised of possible penalties for a violation of the release order.

4:00 p.m. Court in recess.